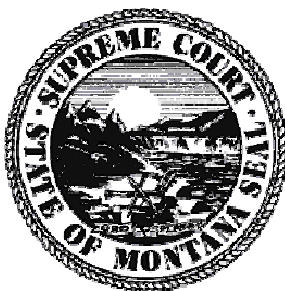


April 27 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

## IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0161

BNSF RAILWAY COMPANY, a  
Delaware corporation,

Petitioner and Appellant,

v.

## ORDER OF MEDIATOR APPOINTMENT

CHAD CRINGLE; MONTANA  
DEPARTMENT OF LABOR  
AND INDUSTRY, and HUMAN RIGHTS  
COMMISSION,,

Respondents and Appellees.

This appeal being subject to M.R.App.P. 7, and the parties having failed to jointly and timely select a mediator under M.R.App.P., 7(4)(c),

IT IS ORDERED THAT **Leroy Henry Schramm**, whose name appears next on the list of attorneys desiring appointment as mediators for Money Judgments appeals which is maintained pursuant to M.R.App.P., 7(4)(e), is hereby appointed to conduct the mediation process required by M.R.App.P., 7(5), and

IT IS FURTHER ORDERED that the time periods set forth in M.R.App.P., 7(5)(d) shall run from the date of this order of appointment.

A true copy of this order is being mailed to counsel of record for the parties, or to the parties individually if not represented by counsel, on the date hereof.

DATED this April 27, 2010.

A handwritten signature in blue ink, appearing to read "Ed Smith", is written over a horizontal line.

Ed Smith, Clerk of the Supreme Court

c: Benjamin Oly Rechtferdig, Terry N. Trieweler, Marieke M. Beck, Leroy H. Schramm